

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 35931/35936

STATE OF IDAHO,)	2009 Unpublished Opinion No. 549
)	
Plaintiff-Respondent,)	Filed: July 23, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
ROBERT AGUILUZ,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Minidoka County. Hon. R. Barry Wood, District Judge.

Judgments of conviction and unified sentence of ten years, with a minimum period of confinement of four years, for domestic battery, a consecutive unified sentence of five years with a minimum period of confinement of two years for intimidating a witness, and credit for time served on violation of no-contact order, affirmed.

Molly J. Huskey, State Appellate Public Defender; Elizabeth Ann Allred, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jessica M. Lorello, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Robert Aguiluz pled guilty to domestic battery, Idaho Code §§ 18-903, 18-918(2), intimidating a witness, I.C. § 18-2604 and violation of a no-contact order, I.C. § 18-920. The district court sentenced Aguiluz to a unified term of ten years, with a minimum period of confinement of four years for the domestic battery charge and a unified term of five years with a minimum period of confinement of two years for the intimidating a witness charge to run consecutively. The district court credited Aguiluz for time served on the violation of a no-contact order and ordered that all sentences were to run concurrently with the Cassia County

cases for which Aguiluz was on probation. Aguiluz appeals asserting that the district court abused its discretion by imposing excessive sentences.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Aguiluz's judgments of conviction and sentences are affirmed.